

13-Apr-2010 10:32 AM Bank of America 714-327-4502

APR 13 2010

Application No. 09/489,850
Atty. Dkt. No. 051916-0107-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Diane VAN ALSTYNE and
Lawrence R. SHARMA

Title: **PEPTIDES REPRESENTING
EPITOPIC SITES FOR BACTERIAL
AND VIRAL MENINGITIS CAUSING
AGENTS AND THEIR CNS CARRIER,
ANTIBODIES THERETO, AND USES
THEREOF**

Appl. No.: 09/489,850

Filing Date: January 24, 2000

Examiner: Patricia A. DUFFY

Art Unit: 1645

| CERTIFICATE OF EXPRESS MAILING | |
|---|-------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.110 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. | |
| (Express Mail Label Number) | (Date of Deposit) |
| (Printed Name) | |
| (Signature) | |

**PETITION FOR WITHDRAWAL OF HOLDING OF ABANDONMENT
UNDER 37 C.F.R. § 1.137(b)**

Mail Stop PETITION
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

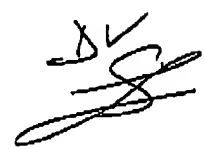
Sir:

This Petition is in reply to the Notice of Abandonment mailed July 26, 2007, which was returned to the United States Patent & Trademark Office on August 13, 2007, as undeliverable. Applicant hereby petitions for withdrawal of the holding of abandonment, due to their failure to respond to subsequent PTO correspondence regarding the **GRANTED** petition to withdraw abandonment, which had been mailed to Applicant's incorrect address (465 Stony Point Rd., Suite 115, Santa Rosa, CA 95401). Applicant also includes the appropriate petition and extension fees and accompanies this Petition with the appropriate Change of Correspondence Address paperwork.

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The entire delay in responding to that PTO correspondence was unintentional. The undersigned, who is the Applicant, is prosecuting the captioned application *pro se* and inadvertently failed to inform the Patent Office that the mailing address for her company, INSIGHT BIOTEK INC. had changed.

Applicant's new address to which she is receiving mailed correspondence is:

Diane Van Alstyne
101 - 144 Brunswick Street
Penticton
British Columbia
Canada V2A 5P7

At all times, Diane Van Alstyne, the Applicant, remains the point of contact with the Patent Office and continues to handle this case *pro se*. She had every intention to retain the pendency of this application, USSN 09/489,850, and did not intend for it to become abandoned again, as evidenced by the previously-granted Petition (the Office of Petitions had granted Applicant's petition dated March 2, 2006, under 37 C.F.R. 1.137(b); please see the Decision on Petition dated August 14, 2006).

For this reason, Applicant respectfully requests that the Commissioner grant Applicant's Petition for Withdrawal of Abandonment in the present application.

Respectfully submitted,

Date September 22 /08

By Diane Van Alstyne

Date April 10 /10

By Diane Van Alstyne

Date APRIL 13, 2010

Diane Van Alstyne
By [Signature]
Rajendra L. Sharma

-2-

WASH_9837905.1

APR 21 2010

INSIGHT BIOTEK INC.

TO: TRACY

FAX#: 571-270-9913

DATE: 703-756-1130

FROM: Diane Van Alstyne

FAX #: 415-633-2442

PHONE #: 250-493-3793

OF PAGES: 1 REF: 4/21/10

RE: APPLICATION # 09/489,850

FILING DATE: JANUARY 24, 2000

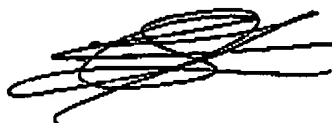
EXAMINER: PATRICIA A. DUFFY

ART UNIT: 1645

PETITION FOR WITHDRAWAL OF HOLDING
OF ABANDONMENT UNDER 37 CFR § 1.137(b)THIS FAX HEREBY AUTHORIZES THE
U.S. PATENT OFFICE, OR ITS AGENTS OR
AFFILIATES, TO CHARGE A FEE OF
\$810.00 TO THE FOLLOWING CARD:

CARDHOLDER: RAJENDRA L. SHARMA

SIGNATURE:



THANKS